

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUL 19 2019

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

DUNCAN D. HUNTER,

Defendant - Appellant.

No. 19-50242

D.C. No. 3:18-cr-03677-W-1

U.S. District Court for Southern
California, San Diego

TIME SCHEDULE ORDER

The parties shall meet the following time schedule.

If there were reported hearings, the parties shall designate and, if necessary, cross-designate the transcripts pursuant to 9th Cir. R. 10-3.2. If there were no reported hearings, the transcript deadlines do not apply.

- | | |
|--------------------------------|-------------------------------------------------------------------------------------------------------------------------|
| Fri., August 9, 2019 | Transcript shall be ordered. |
| Mon., September 9, 2019 | Transcript shall be filed by court reporter. |
| Fri., October 18, 2019 | Appellant's opening brief and excerpts of record shall be served and filed pursuant to FRAP 31 and 9th Cir. R. 31-2.1. |
| Mon., November 18, 2019 | Appellee's answering brief and excerpts of record shall be served and filed pursuant to FRAP 31 and 9th Cir. R. 31-2.1. |

The optional appellant's reply brief shall be filed and served within 21 days of service of the appellee's brief, pursuant to FRAP 31 and 9th Cir. R. 31-2.1.

Failure of the appellant to comply with the Time Schedule Order will result in automatic dismissal of the appeal. See 9th Cir. R. 42-1.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT

By: Holly Crosby
Deputy Clerk
Ninth Circuit Rule 27-7

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

TRANSCRIPT DESIGNATION AND ORDERING FORM

U.S. COURT OF APPEALS CASE NUMBER

U.S. DISTRICT COURT CASE NUMBER

SHORT CASE TITLE

DATE NOTICE OF APPEAL FILED BY CLERK OF DISTRICT COURT

SECTION A - TO BE COMPLETED BY PARTY ORDERING TRANSCRIPT

HEARING DATE	COURT REPORTER/ MAGISTRATE JUDGE	PROCEEDINGS
		<input type="checkbox"/> Voir Dire <input type="checkbox"/> Opening Statements <input type="checkbox"/> Settlement Instructions <input type="checkbox"/> Closing Arguments <input type="checkbox"/> Jury Instructions <input type="checkbox"/> Pre-Trial Proceedings <input type="checkbox"/> Other (Please Specify)
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ATTACH ADDITIONAL PAGE FOR DESIGNATIONS, IF NECESSARY

- ☐ I do not intend to designate any portion of the transcript and will notify all counsel of this intention.
- ☐ As retained counsel (or litigant in pro per), I request a copy of the transcript and guarantee payment to the reporter of the cost thereof upon demand. I further agree to pay for work done prior to cancellation of this order.
- ☐ As appointed counsel, I certify that an appropriate order authorizing preparation of the transcript at the expense of the United States has been, or within five (5) days hereof, will be obtained and delivered to the reporter. I agree to recommend payment for work done prior to cancellation of this order.

NAME, ADDRESS AND TELEPHONE NUMBER:

DATE TRANSCRIPT ORDERED:

SIGNATURE
ATTORNEY/PRO PER LITIGANT

THIS FORM IS DIVIDED INTO FIVE (5) PARTS. IT SHOULD BE USED TO COMPLY WITH THE FEDERAL RULES OF APPELLATE PROCEDURE AND THE LOCAL RULES OF THE U.S. COURT OF APPEALS FOR THE NINTH CIRCUIT REGARDING THE DESIGNATION AND ORDERING OF COURT REPORTERS' TRANSCRIPTS.

PLEASE NOTE THE SPECIFIC INSTRUCTIONS BELOW. IF THERE ARE FURTHER QUESTIONS, CONTACT THE CLERK'S OFFICE, U.S. DISTRICT COURT AT (619) 557-6368

SPECIFIC INSTRUCTIONS FOR ATTORNEYS/PRO PER LITIGANTS

1. Pick up form from District Court Clerk's Office when filing the notice of appeal.
2. Complete **Section A**. Place additional designations on blank paper, if needed.
3. Send **Copy One** to District Court.
4. Send **Copy Four** to opposing counsel. Make additional photocopies, if necessary.
5. Send **Copy Two** and **Copy Three** to court reporter. Contact court reporter to make further arrangements for payment.
6. Continue to monitor progress of transcript preparation.

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**UNITED STATES DISTRICT COURT
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COURT REPORTER/
MAGISTRATE JUDGE _____

PROCEEDINGS

- | | | | | |
|------------------------------------------------|-------------------------------------------------------|--------------------------------------------------|--------------------------------------------|--------------------------------------------|
| <input type="checkbox"/> Voir Dire | <input type="checkbox"/> Opening Statements | <input type="checkbox"/> Settlement Instructions | <input type="checkbox"/> Closing Arguments | <input type="checkbox"/> Jury Instructions |
| <input type="checkbox"/> Pre-Trial Proceedings | <input type="checkbox"/> Other (Please Specify) _____ | | | |
| <hr/> | | | | |
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DATE TRANSCRIPT ORDERED: _____

SIGNATURE

ATTORNEY/PRO PER LITIGANT

SECTION B - TO BE COMPLETED BY COURT REPORTER

I, _____ have received this designation.
SIGNATURE OF COURT REPORTER

- ☐ Arrangements for payment were made on _____
- ☐ Arrangements for payment have not been made pursuant to F.R.A.P. 10(b).

Approximate number of pages in transcript: _____

Due Date: _____

NOTE TO COURT REPORTER

Be sure to notify the court of appeals if suitable arrangements are not made and you do not intend to commence preparation of the transcript.

1. When designation is received, contact attorney regarding payment.
2. Complete this copy and send to court of appeals in compliance with F.R.A.P. 11(b).
3. Complete and file **Copy Three** upon completion of the transcript.

TRANSCRIPT DESIGNATION AND ORDERING FORM

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DATE TRANSCRIPT ORDERED:

SIGNATURE

ATTORNEY/PRO PER LITIGANT

SECTION C - TO BE COMPLETED BY COURT REPORTER

When the transcript is filed, complete this copy and submit it to the U.S. District Court with the completed transcript. District Court will not file the transcript without this completed form.

Date Transcript Filed: _____

COURT REPORTER'S SIGNATURE

SECTION D - TO BE COMPLETED BY U.S. DISTRICT COURT CLERK

I certify that the record is available in the office of the U.S. District Court.

BY: _____

U.S. DISTRICT COURT CLERK

Date

DEPUTY CLERK

This copy is the **CERTIFICATE OF RECORD**. It should be transmitted to the court of appeals by the district court clerk when the transcript is filed and the record is complete in the district court.

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**UNITED STATES DISTRICT COURT
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SIGNATURE
ATTORNEY/PRO PER LITIGANT

SERVICE COPY FOR OTHER PARTIES TO CASE

A COPY OF THIS PAGE MUST BE SERVED ON ALL PARTIES TO THE CASE. PHOTOCOPY IF NECESSARY

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SIGNATURE
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FILE COPY FOR ORDERING PARTY

TRANSCRIPT DESIGNATION AND ORDERING FORM